

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

COINLAB, INC., a Delaware Corporation,

Plaintiff,

v.

MT. GOX KK, a Japanese corporation and  
TIBANNE KK, a Japanese corporation.

Defendants.

NO. 2:13-cv-00777-BJR

STATUS REPORT ON PROGRESS  
OF DEFENDANTS' BANKRUPTCY  
PROCEEDINGS

Plaintiff CoinLab, Inc. provides this status report on the Tibanne and MtGox bankruptcy proceedings pursuant to the Court's Orders dated August 29, 2017 (Dkt. No. 142) and February 5, 2015 (Dkt. No. 123).

As noted in previous CoinLab status reports, the Japanese Bankruptcy of defendant MtGox was converted to a Civil Rehabilitation Proceeding in June 2018. CoinLab filed a timely proof of claim in the rehabilitation proceeding, asserting MtGox's liability for the claims at issue in this litigation. On January 15, 2021, the MtGox Trustee made available a draft plan of reorganization and announced that he was submitting the proposed plan to the Court and seeking approval for it to be voted on by the creditors.

On or about September 2, 2019, the bankruptcy court in Japan issued an order assessing the value of CoinLab's claim against MtGox at JPY 384,857,605; plus interest through June 22, 2018 (the commencement date for the civil rehabilitation action) of JPY 678,489,465; plus interest since June 22, 2018 at 12% per year, which totaled JPY 55,292,967 as of the date of the assessment order. The total assessed claim amount including interest as of September 2, 2019 is approximately JPY 1,118,640,037 or approximately \$10,230,045 (at December 13, 2019 conversion rate provided by Morningstar, Inc. and available through Google.com). On September 30, 2019, CoinLab filed a timely action to challenge this assessment in Tokyo District Court. On November 22, 2020, the MtGox Trustee submitted a brief and supporting material to the Tokyo District Court seeking to have CoinLab's claim dismissed. CoinLab intends to file its responsive brief and supporting materials by February 22, 2021.

On or about November 2, 2019, the bankruptcy court in Japan issued an order denying CoinLab's claim against Tibanne. On or about November 29, 2019, CoinLab filed a timely appeal of this assessment in the Tokyo District Court. The litigation in the Tokyo District Court is ongoing and no substantive rulings have been issued by that Court.

Dated: February 11, 2021

Respectfully submitted:

SUSMAN GODFREY LLP

By: /s/ Edgar Sargent

Edgar Sargent, WSBA No. 28283

By: /s/ Floyd Short

Floyd Short, WSBA No. 21632

By: /s/ Lindsey Godfrey Eccles

Lindsey Godfrey Eccles, WSBA No. 33566

Susman Godfrey LLP

1201 Third Avenue, Suite 3800

Seattle, Washington 98101-3087

Telephone: (206) 516-3880  
esargent@susmangodfrey.com  
fshort@susmangodfrey.com  
leccles@susmangodfrey.com

BRESKIN JOHNSON & TOWNSEND PLLC

By: /s/ Roger M. Townsend  
Roger M. Townsend, WSBA No. 25525  
Breskin Johnson & Townsend PLLC  
1000 2nd Avenue, suite 3670  
Seattle, Washington 98104  
Telephone: (206) 652-8660  
rtownsend@bjtlegal.com

*Attorneys for Plaintiff CoinLab, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record who have registered for electronic notifications. I have also emailed a copy of this filing to Ms. Angela J. Somers, Reid Collins & Tsai LLP, counsel for Tibanne, in the Chapter 15 proceeding in the Southern District of New York.

By: /s/Edgar G. Sargent